



**CITY OF SUNNYVALE  
REPORT  
Planning Commission**

**January 23, 2006**

**SUBJECT:** **2005-1200 – Klub K9 Playcenter LLC** [Applicant] **J L and Associates** [Owner]: Application for a 16,800 square foot building located **174 Commercial Street** (near Central Expwy) in an M-S (Industrial & Service) Zoning District.

Motion Use Permit to allow a day care, boarding, grooming, and training facility for dogs.

**REPORT IN BRIEF**

**Existing Site Conditions** Vacant industrial building

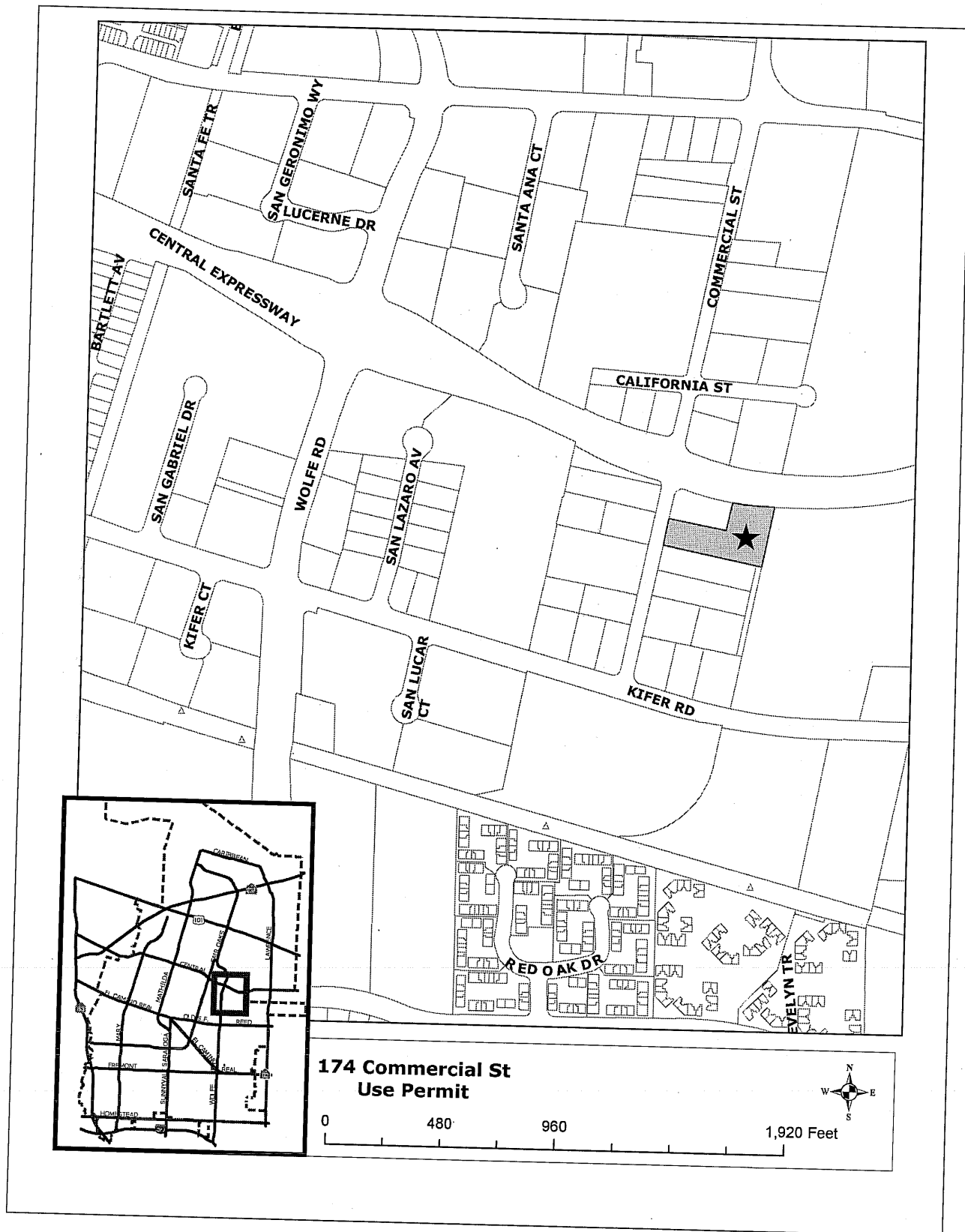
**Surrounding Land Uses**

North	Central Expressway
South	Industrial uses
East	Industrial uses
West	Parking lot and industrial uses

**Issues** Non-industrial use in an industrial area

**Environmental Status** A Negative Declaration has been prepared in compliance with California Environmental Quality Act provisions and City Guidelines.

**Staff Recommendation** Approve with conditions



**PROJECT DATA TABLE**

	<b>EXISTING</b>	<b>PROPOSED</b>	<b>REQUIRED/ PERMITTED</b>
<b>General Plan</b>	Industrial	Same	Same
<b>Zoning District</b>	M-S	Same	Same
<b>Lot Size (s.f.)</b>	68,041	68,041	22,500 min.
<b>Gross Floor Area (s.f.)</b>	26,300	26,300	26,300 max.
<b>Gross Floor Area of Tenant</b>	16,800	16,800	n/a
<b>Lot Coverage (%)</b>	38.6%	38.6%	45% max.
<b>Floor Area Ratio (FAR)</b>	38.6%	38.6%	35% max.
<b>No. of Buildings On-Site</b>	2	2	---
<b>Building Height (ft.)</b>	Approx. 30 feet	Same	75 max.
<b>No. of Stories</b>	1	1	8 max.
<b>Setbacks (Subject Building - rear)</b>			
<b>Front</b>	Approx. 310'	Same	25' min.
<b>Left Side</b>	Approx. 20'	Same	20' combined min.
<b>Right Side</b>	Approx. 0'	Same	20' combined min.
<b>Rear</b>	Approx. 6'	Same	0' min.
<b>Landscaping (sq. ft.)</b>			
<b>Total Landscaping</b>	800 sq. ft.	Same	5, 260 sq. ft. min.
<b>Frontage Width (ft.)</b>	4 ft.	Same	15 ft. min.
<b>Parking</b>			
<b>Total Spaces</b>	30	30	25 min.
<b>Standard Spaces</b>	28	28	---
<b>Accessible Spaces</b>	2	2	---

★ Starred items indicate deviations from Sunnyvale Municipal Code requirements.

**ANALYSIS****Description of Proposed Project**

The proposed project includes locating an animal care facility that includes kennel type services, grooming, and animal education center. Different aspects of the proposed project include a training center for animals, play areas, offices, and a retail area.

In general, customers will drop off their animal in the morning, where the animal will be cared for throughout the day and will be picked up at the end of their workday. In addition, there will be the option for pet owners to leave their animal for overnight stays at the facility.

**Background**

**Previous Actions on the Site:** The following table summarizes previous planning applications related to the subject site.

<b>File Number</b>	<b>Brief Description</b>	<b>Hearing/Decision</b>	<b>Date</b>
1989-0345	Variance for parking requirements	Expired	7/22/1987
1970-0089	Use Permit for unenclosed tanks	Approved	10/12/1970
1969-0056	Variance for parking and driveway	Approved	8/11/1969

**Environmental Review**

A Negative Declaration has been prepared in compliance with the California Environmental Quality Act provisions and City Guidelines. An initial study has determined that the proposed project would not create any significant environmental impacts (see Attachment C, Initial Study).

**Use Permit**

**Site Layout:** The site has an "L" configuration that is deeper than wide. The site contains two buildings, one at the front of the site and one at the rear of the property. The proposed animal care facility will be in the building at the rear of the site. Parking is located at the front of the facility and at the front of the second building along Commercial Street. Vehicular access to the rear building is provided through a one lane driveway off of Commercial Street.

**Architecture:** The rear building is a one-story tilt-up construction, in the shape of a "U", facing to the west. The building does not contain significant

architectural features with glass doors and windows along the front of the building. There is a loading dock and door at the left side of the building.

Since the building has been vacant, the building needs refreshing to improve the appearance of the building. To accomplish this, staff is recommending that the applicant give the building a new coat of paint.

**Landscaping:** The site contains minimal landscaping with a landscape strip at the front of the site and a landscape area in the front of the rear building. The remainder of the site includes buildings, driveways and parking lot. Because of the configuration of the lot and the placement of buildings on the site, much of the site is paved to provide adequate space for parking, vehicular access and loading areas. The result is that the site contains small landscape strips fronting each of the two buildings. To improve the landscaping at the site, staff is recommending that small specie trees be planted within the existing landscape planter and to have a fully functional irrigation system in place in this area.

**Parking/Circulation:** Parking for the site is located either at the front of the building at the front of the property, or for the building at the rear, there is also a parking lot in the front of this building. Access to the rear building is provided by a one lane driveway off of Commercial Street that goes between two buildings at the front of the property. The parking lot fronting the building contains 30 parking spaces of which 2 are handicap accessible. Consistent with previous permits for the same use elsewhere in Sunnyvale, the parking for the proposed use will be determined by the same ratio utilized for child day care uses. Sunnyvale Municipal Code 19.46 specifies that 1 space shall be devoted to each employee during the maximum shift plus 1 space per 14 students. In this case dogs (animals) can be substituted for students for this proposal. The applicant has indicated that a maximum of 200 dogs will be on-site at a particular time. Thus, 15 spaces will be needed for dropping off dogs. The applicant has indicated that the business will have a maximum of 10 employees on-site during business hours. The proposed use would require a minimum of 25 parking spaces. Therefore, the site contains sufficient parking for the proposed use.

Any expansion to the current proposal in terms of on-site staff or number of dogs shall be considered a modification to the Use Permit and subject to Condition of Approval #1.F. (See Attachment #2), which requires an amendment to the use permit.

Parking Standard	Proposed Use	Parking Required
Day Care use for dogs requires 1 space per employee during maximum shift + 1 space per 14 dogs	10 employees max. + 200 dogs.	10 spaces + (14.28) 15 spaces = 25 spaces  <b>Parking on-site: 30</b>

**Compliance with Development Standards/Guidelines:** The site meets some development standards such as setbacks, lot coverage, building height and parking. However, because the project was built many years ago, many of the standards have changed. The project does not meet development standards for landscaping and floor area ratio. To improve the existing landscaping at the site, staff is recommending a condition to plant small specie trees in the existing landscape area fronting the building.

**Expected Impact on the Surroundings:** The project is not expected to have an impact on the surrounding neighborhood. The project does not require any more parking than the previous use, thus, it is not expected to increase traffic as a result of the proposed project. Because the project is located within an industrial area, barking dogs and other animal noise will not be a concern since industrial uses are often noise producers. The project may cause an increase in sensitive receptors (children and less mobile people) to the area since the proposed use is not specific to adult customers only. However, because the nature of the business does not require customers to be at the facility for an extended amount of time, mostly for drop-off and pick-up, this will not be a concern.

### **Fiscal Impact**

No fiscal impacts other than normal fees and taxes are expected.

### **Public Contact**

Notice of Public Hearing	Staff Report	Agenda
<ul style="list-style-type: none"> <li>Published in the <i>Sun</i> newspaper</li> <li>Posted on the site</li> <li>31 notices mailed to property owners and residents adjacent to the project site</li> </ul>	<ul style="list-style-type: none"> <li>Posted on the City of Sunnyvale's Website</li> <li>Provided at the Reference Section of the City of Sunnyvale's Public Library</li> </ul>	<ul style="list-style-type: none"> <li>Posted on the City's official notice bulletin board</li> <li>City of Sunnyvale's Website</li> <li>Recorded for SunDial</li> </ul>

## **Conclusion**

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**Findings and General Plan Goals:** Staff was able to make the required Findings based on the justifications for the Use Permit. Findings and General Plan Goals are located in Attachment A.

**Conditions of Approval:** Conditions of Approval are located in Attachment B.

## **Alternatives**

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1. Adopt the Negative Declaration and approve the Use Permit with attached conditions.
2. Adopt the Negative Declaration and approve the Use Permit with attached conditions with modified conditions.
3. Adopt the Negative Declaration and deny the Use Permit.
4. Do not adopt the Negative Declaration and direct staff as to where additional environmental analysis is required.

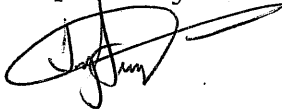
**Recommendation**

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Alternative 1.

Staff recommends Alternative 1 since the project will not have any impacts to the surrounding neighborhood. In addition, the use is suited to the industrial area since it has impacts (noise) similar to industrial uses. The project will provide adequate parking for the proposed use and will incorporate minor site and building improvements to give the building an improved appearance.

Prepared by:



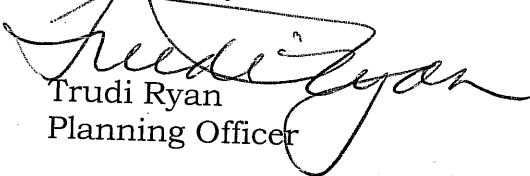
Troy Fujimoto  
Project Planner

Reviewed by:



Gerri Caruso  
Principal Planner

Reviewed by:



Trudi Ryan  
Planning Officer

Attachments:

- A. Recommended Findings
- B. Recommended Conditions of Approval
- C. Negative Declaration
- D. Site and Architectural Plans



**Recommended Findings - Use Permit**

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Goals and Policies that relate to this project are:

1. The proposed use attains the objectives and purposes of the General Plan of the City of Sunnyvale as noted below (*Finding met*):

**Land Use and Transportation Element**

*Policy C4.1: Maintain a diversity of commercial enterprises and industrial uses to sustain and bolster the local economy.*

*Action Statement C4.1.3: Promote commercial uses that respond to the current and future retail service needs of the community.*

This will bring a different type of commercial use to the City that is responding to an increasing need for animal care throughout the area. It is a business that is not overly represented within the City.

2. The proposed use ensures that the general appearance of proposed structures, or the uses to be made of the property to which the application refers, will not impair either the orderly development of, or the existing uses being made of, adjacent properties (*Finding met*) as the proposed project is providing adequate parking and will not negatively impact surrounding industrial uses as it will have similar impacts as an industrial use.



**Recommended Conditions of Approval - Special Development Permit /Use Permit**

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In addition to complying with all applicable City, County, State and Federal Statutes, Codes, Ordinances, Resolutions and Regulations, Permittee expressly accepts and agrees to comply with the following conditions of approval of this Permit:

Unless otherwise noted, all conditions shall be subject to the review of approval of the Director of Community Development.

**1. GENERAL CONDITIONS**

- A. Project shall be in conformance with the plans approved at the public hearing(s). Minor changes may be approved by the Director of Community Development. Major changes may be approved at a public hearing.
- B. Any major site and architectural plan modifications shall be treated as an amendment of the original approval and shall be subject to approval at a public hearing except that minor changes of the approved plans may be approved by staff level by the Director of Community Development.
- C. The Conditions of Approval shall be reproduced on a page of the plans submitted for a Building Permit for this project. Building Permit plans shall be accompanied by an annotated set of the conditions of approval indicating how the project complies with each condition.
- D. The Use Permit shall be null and void two years from the date of approval by the final review authority at a public hearing if the approval is not exercised, unless a written request for an extension is received and approved prior to the expiration date.
- E. Once this Use Permit is exercised, all previously approved permits shall be null and void with no further action required by any reviewing authority.
- F. Any expansion to the site (including maximum number of animals) shall be treated as an amendment of the original approval and shall be subject to approval at a public hearing.
- G. The project shall incorporate adequate outdoor lighting for the entire parking lot.
- H. The project shall comply with all City noise standards (operational noise) from the business operations including potential excessive noise from the animals.

**2. DESIGN/EXTERIOR COLORS AND MATERIALS**

- A. The following improvements shall be completed to the approval of the Community Development Director prior to occupancy:
  - 1. Repainting the building,
  - 2. Replace the wood slats within existing fencing.
- B. Final exterior building color scheme are subject to review and approval of the Planning Commission/Director of Community Development prior to occupancy.

**3. EXTERIOR EQUIPMENT**

- A. Any new mechanical units shall be screened from views with architecture or landscaping features.
- B. All unenclosed materials, equipment and/or supplies of any kind shall be maintained within approved enclosure area. Any stacked or stored items shall not exceed the height of the enclosure.

**4. FENCES**

- A. Design and location of any proposed fencing and/or walls are subject to the review and approval by the Director of Community Development.

**5. LANDSCAPING**

- A. Install small species trees in the landscape planter at the front of the building where space allows.
- B. All irrigation systems shall be fully functional within the existing landscape planter at the front of the building.

**6. LIGHTING**

- A. Prior to issuance of a Building Permit submit an exterior lighting plan, including fixture and pole designs, for approval by the Director of Community Development. Sodium vapor (of illumination with an equivalent energy savings).
- B. All exterior security lights shall be equipped with vandal resistant covers.
- C. Lights shall have shields to prevent glare onto adjacent residential properties.
- D. Outdoor loudspeakers shall be prohibited.

**7. PARKING**

- A. The parking lot shall be slurry sealed and re-stripped prior to occupancy.

- B. Signs warning of a one-lane driveway shall be installed prior to occupancy.

**8. RECYCLING AND SOLID WASTE**

- A. Solid waste enclosures shall be designed and constructed to the approval of the Director of Community Development prior to occupancy.
- B. All exterior recycling and solid waste shall be confined to approved receptacles and enclosures.

**9. SIGNS**

- A. All existing/new signs shall be in conformance with Sunnyvale Municipal Code and require separate review and permits.

**10. STORAGE**

- A. All unenclosed materials, equipment and/or supplies of any kind shall be maintained within an approved enclosed area. Any stacked or stored items shall not exceed the height of the enclosure.
- B. Unenclosed storage of any vehicle shall be prohibited.
- C. Unenclosed storage of any kind shall be prohibited on the premises.
- D. Unenclosed storage area(s) shall be fully screened to the highest point of any stored or stacked materials, equipment and/or supplies of any kind. The design and method of enclosure is subject to approval by the Director of Community Development. Any modification or expansion of unenclosed uses shall require approval from the Director of Community Development.